

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

MELEANIE & SCOTT HAIN, individually and as husband and wife, Plaintiffs,  v.  MICHAEL J. DeLEO, et al., Defendants.	CIVIL ACTION NO. 1:08-CV-2136-YK (Honorable Yvette Kane)  ELECTRONICALLY FILED  JURY TRIAL DEMANDED
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**NOTICE OF CITATION OF SUPPLEMENTAL  
AUTHORITY BY DEFENDANTS**

Defendants, Michael J. DeLeo, Office of the Lebanon County Sheriff and Lebanon County, by their attorneys, Thomas, Thomas & Hafer, LLP file this Notice of Citation of Supplemental Authority pursuant to Local Rule 7.36. Defendants hereby refer the Court to the decision of the United States Court of Appeals for the Third Circuit in the case of United States v. Marzzarella, 2010 U.S. App. LEXIS 15655 (3<sup>rd</sup> Cir. filed July 29, 2010), which is relevant to Defendants' Motion to Dismiss (Doc. 7).

Respectfully submitted,  
**THOMAS, THOMAS & HAFFER, LLP**

Date: July 30, 2010

By: /s/ David L. Schwalm  
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**CERTIFICATE OF SERVICE**

I, David L. Schwalm, Esquire, of the law firm of Thomas, Thomas & Hafer, LLP, hereby state that a true and correct copy of the foregoing document(s) was served upon all counsel of record in the manner and on the date set forth below:

By the Middle District Court via Electronic Filing:

Matthew B. Weisberg, Esquire

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**THOMAS, THOMAS & HAFER, LLP**

Dated: July 30, 2010

By: /s/ David L. Schwalm  
David L. Schwalm, Esquire